

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

HARRISON WELLS PARTNERS, LLC, an	)	
Illinois limited liability company,	)	
Plaintiff/Counter-Defendant,	)	
	)	
v.	)	No. 09 CV 2445
	)	
CHIEFTAIN CONSTRUCTION HOLDINGS,	)	Judge Kennelly
LTD., a foreign corporation.	)	
Defendant/Counter-Plaintiff.	)	

**PLAINTIFF’S MOTION FOR RULING AND JUDGMENT ON  
PETITION FOR ATTORNEYS’ FEES AND COSTS**

Plaintiff, Harrison Wells Partners, LLC (“Plaintiff”), through its attorneys, Arthur F. Radke and Diana H. Psarras, hereby requests that this Court rule on Plaintiff’s Petition for Attorneys’ Fees and Costs [DE 71] in the amount of \$59,196.00 without further briefing. In support of this motion, Plaintiff states as follows:

1. On August 25, 2010, this Court entered summary judgment in favor of Plaintiff and against Defendant Chieftain Construction Holdings, Ltd. (“Defendant”).
2. On September 2, 2010 at a status hearing this Court orally set a briefing schedule for Plaintiff’s petition for attorneys’ fees which was confirmed by written order entered on September 20, 2010 [DE 73] Pursuant to the briefing schedule, Plaintiff filed its Petition for Attorneys’ fees and cost on September 16, 2010; Defendant’s response is due on or before September 30, 2010 and Plaintiff’s reply is to be filed by October 14, 2010.
3. On September 21, 2010, Defendant’s counsel informed Plaintiff’s counsel that Defendant would *not* be filing a response to Plaintiff’s Petition for Attorneys’ Fees and Costs. A true and correct copy of Defendant’s counsel’s September 21, 2010 email to Plaintiff’s counsel is attached hereto as Exhibit A.

4. Because Defendant will not be filing a response to Plaintiff's Petition for Attorneys' Fees and Costs (and there will be no need for a reply), there is no reason to delay the Court's ruling on Plaintiff's Petition for Attorneys' Fees and Costs for further briefing.

5. As such, Plaintiff respectfully requests that this court grant Plaintiff's Petition for Attorneys' Fees and Costs in the amount of \$59,196.00.

WHEREFORE, Plaintiff Harrison Wells Partners, LLC, prays that this Court rule on its Petition for Attorneys' fees and Costs *instantly* and for an award of attorneys' fees and costs in the amount of \$59,196.10.

**HARRISON WELLS PARTNERS LLC**

By: /s/ Arthur F. Radke

One of its Attorneys

Arthur F. Radke(ARDC #3125515)  
Diana H. Psarras (ARDC #6283780)  
ROBBINS, SALOMON & PATT, LTD.  
25 E. Washington Street, Suite 1000  
Chicago, IL 60602  
(312) 782-9000  
Fax: (312) 782-6690

Dated: September 29, 2010

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2010 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Glenn L. Udell [gudell@buplaw.com](mailto:gudell@buplaw.com), [cwilson@buplaw.com](mailto:cwilson@buplaw.com), [jwoyan@buplaw.com](mailto:jwoyan@buplaw.com),  
[dbauernfeind@buplaw.com](mailto:dbauernfeind@buplaw.com), [lrader@buplaw.com](mailto:lrader@buplaw.com)

Michelle J. Braun [mbraun@bupdlaw.com](mailto:mbraun@bupdlaw.com)

and I hereby certify that I have mailed by U.S. Postal Service the document to the following non-CM/ECF participants: None.

/s/Arthur F. Radke 3125515  
Attorney for Plaintiff  
Robbins, Salomon & Patt, Ltd.  
25 East Washington Street, Suite 1000  
Chicago, IL 60602  
Phone: 312-782-9000  
Fax: 312-782-6690  
email: [aradke@rsplaw.com](mailto:aradke@rsplaw.com)